

UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of:)
Joel Miranda Buenaventura,) Proceeding No. D2018-41¹
Respondent)
_____)

FINAL ORDER PURSUANT TO 37 C.F.R. § 11.24

Pursuant to 37 C.F.R. § 11.24, Joel Miranda Buenaventura (“Respondent”) is hereby publicly reprimanded for violation of 37 C.F.R. § 11.804(h).

Background

By Order dated December 11, 2017, in *In re Joel Miranda Buenaventura*, C1-17-00246778, the Commonwealth of Massachusetts Board of Bar Overseers of the Supreme Judicial Court ordered the public reprimand of Respondent in that jurisdiction on ethical grounds.

On September 5, 2018 a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) was sent by certified mail (receipt no. 70180680000076616103) notifying Respondent, through counsel, that the Director of the Office of Enrollment and Discipline (“OED Director”) had filed a “Complaint for Reciprocal Discipline Pursuant to 37 C.F.R. § 11.24” (“Complaint”) requesting that the Director of the United States Patent and Trademark Office impose reciprocal discipline upon Respondent identical to the discipline imposed by the Commonwealth of Massachusetts Board of Bar Overseers of the Supreme Judicial Court in *In re Joel Miranda Buenaventura*, C1-17-00246778. The Notice and Order provided Respondent an opportunity to file, within forty (40) days, a response opposing the

¹ The case number for this matter is D2018-41. This corrects any and all previously filed documents that reflect the case number as D2018-42.

imposition of reciprocal discipline identical to that imposed by the Commonwealth of Massachusetts Board of Bar Overseers of the Supreme Judicial Court in *In re Joel Miranda Buenaventura*, C1-17-00246778, based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1).

Respondent's counsel filed a response to the Notice and Order on September 26, 2018. In that response, Respondent's counsel stated that Respondent "does not challenge the propriety of the USPTO Director's entry of a Final Order . . . imposing a reciprocal public reprimand predicated upon the public reprimand issued on December 11, 2017 Order by the Commonwealth of Massachusetts Board of Bar Overseers of the Supreme Judicial Court in the matter styled *In re Joel Mirand Buenaventura*, C1-17-00246778. Moreover, [Respondent] does not raise any issue of fact under 37 C.F.R. § 11.24 (d)(1)(i)-(iv)."

Analysis

In light of Respondent's response, in which he does not oppose the imposition of reciprocal discipline here, it is hereby determined that there is no genuine issue of material fact under 37 C.F.R. § 11.24(d) and reprimanding Respondent is the appropriate discipline.

ACCORDINGLY, it is hereby **ORDERED** that:

1. Respondent is hereby publicly reprimanded;
2. The OED Director publish the following Notice in the *Official Gazette*:

NOTICE OF PUBLIC REPRIMAND

This notice concerns Joel Miranda Buenaventura of Quincy, Massachusetts, who is a registered patent attorney (Registration Number 56,169). In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Mr. Joel Miranda Buenaventura be publically reprimanded for violating 37 C.F.R. § 11.804(h), predicated upon being publically reprimanded by a duly constituted authority of a State.

The Respondent notarized a fellow employee's wife's signature on two occasions when she was not present, had not signed the documents in his

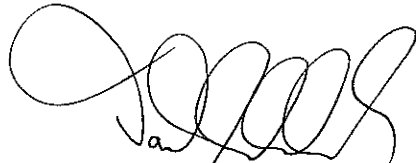
presence, and had not indicated that her signature was voluntarily affixed for the purposes stated within the document in violation of Rule 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation) of the Massachusetts Rules of Professional Conduct.

This action is taken pursuant to the provisions of 35 U.S.C. § 32 and 37 C.F.R. § 11.24. Disciplinary decisions are available for public review at the Office of Enrollment and Discipline's FOIA Reading Room located at: <http://e-foia.uspto.gov/Foia/OEDReadingRoom.jsp>;

and


3. The OED Director give notice pursuant to 37 C.F.R. § 11.59 of the public discipline and the reasons for the discipline to disciplinary enforcement agencies in the state(s) where Respondent is admitted to practice, to courts where Respondent is known to be admitted, and to the public.



10/3/19
Date



David Shewchuk
Deputy General Counsel for General Law
United States Patent and Trademark Office

on delegation by
Andrei Iancu
Under Secretary Of Commerce For Intellectual Property And
Director Of The United States Patent And Trademark Office

cc:

OED Director

Michael E. McCabe, Jr.


Counsel for Respondent